

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MERCK SHARP & DOHME CORP.,

Plaintiff/Counter-Defendant,

v.

CIVIL ACTION NO. 1:19CV101
(Judge Keeley)

MYLAN PHARMACEUTICALS INC.,

Defendant/Counter-Claimant.

ORDER FOLLOWING FINAL PRETRIAL CONFERENCE

For the reasons stated on the record during the November 30, 2021 final pretrial conference, the Court

1. **DENIED** the plaintiff's motion in limine regarding obviousness-type double patenting evidence (Dkt. No. 104);
2. **ORDERED** the trial in this case to proceed as scheduled on December 13-17, 2021; and
3. **DIRECTED** the parties to submit a proposed schedule for post-trial briefing and closing arguments.

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit copies of this Order to counsel of record.

DATED: November 30, 2021

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE